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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,412	12/23/2005	Kwang-Kyun Park	69506(301067)	3068
21874	7590	11/18/2008		
EDWARDS ANGELL PALMER & DODGE LLP			EXAMINER	
P.O. BOX 55874			ANDERSON, JAMES D	
BOSTON, MA 02205				
		ART UNIT	PAPER NUMBER	
		1614		
		MAIL DATE	DELIVERY MODE	
		11/18/2008	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10562412	12/23/2005	PARK ET AL.	69506(301067)

EXAMINER

JAMES D. ANDERSON

ART UNIT	PAPER
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1614

20081114

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 9/8/2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): claims 1-3 and 5-6, as presently amended, are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons. The originally filed claims recited "[A] suppressant of toxicity induced by a cancer chemotherapeutic agent" comprising xanthorrhizol as an active ingredient. The Examiner interpreted the originally filed claims as composition claims as evidenced by the prior art applied against the claims. Applicants have now amended the claims to recite methods of suppressing toxicity induced by a chemotherapeutic agent comprising administering xanthorrhizol.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. See 37 CFR 1.142(b) and MPEP § 821.03. Also see 37 CFR 1.111.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES D. ANDERSON whose telephone number is (571)272-9038. The examiner can normally be reached on MON-FRI 9:00 am - 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ardin Marschel can be reached on 571-272-0718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ardin Marschel/
Supervisory Patent Examiner, Art Unit 1614

/James D Anderson/
Examiner, Art Unit 1614